



Ad-Hoc Query on the use of language analyses in the removal process

Requested by BE EMN NCP on 23th of February 2011

Compilation produced on 12th of April 2011

Responses from Austria, Belgium, Czech Republic, Estonia, Finland, Hungary, Italy, Latvia, Lithuania, Slovak Republic, Slovenia, Sweden, United Kingdom plus Norway (14 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

Because of recurrent problems linked with the identification of persons to be removed, the Immigration Office is initializing a project in order to raise the chances of the identification procedure of illegal immigrants. It concerns illegal immigrants who are difficult to remove from the Belgian territory by using false identities and/or false nationalities. Belgium wants to use new procedures/methods like language analyses and native speakers to determine the origin of the person to be identified. It would be very interesting to know which member states already use language analyses for identification of illegal immigrants.





If your country uses language analysis in the removal process, we would like to know:

- 1) Who treats your language analyses? A company or linguists at universities?
- 2) What is the education level of the language experts? Do they all have a scientific/ linguistic – background?
- 3) Since when do you use language analyses?


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- 4) How many illegal immigrants have been identified and how many have been effectively been returned on the basis of language analyses?
- 5) Which criteria do you use in order to decide to make a language analysis?
- 6) How much time does an analysis more or less take?
- 7) Which company/who makes eventually a contra-assessment of the language analysis?
- 8) Which difficulties do you encounter connecting to language analysis? What are the advantages/disadvantages?
- 9) Do you use native speakers? If yes, how do you use them? What are your recruitment criterions?
- 10) How do you interview? Face-to-face? Or do you send a tape of the interview to the language expert? Why do you do it that way? What are the advantages/disadvantages?
- 11) Which questions do you ask? Do you have a list with questions for each country? If you haven't, can you give a short overview about the questions you ask (for example about meals, habits...)
- 12) How much does a language analysis cost?
- 13) In general: which difficulties do you encounter for this kind of interviews?




2. Responses

		Wider Dissemination?	
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further
	Belgium	Yes	So far Belgium does not use language analyses for the removal process.
	Czech Republic	Yes	Czech Republic never used language analysis. In several asylum cases language analysis was proposed but never realized due to objection of the respective asylum seekers. Swiss Federal Office for Migration was contacted to provide for the analysis in these cases.
	Estonia	Yes	<ol style="list-style-type: none"> 1. Estonia has used a language expert working in Sweden. 2. This expert had a linguistic background. 3. Estonia uses language analysis very rarely. 4. One person in removal process has taken part in a language analysis. His removal was successful after the analysis. It is not usual that persons in removal process are taking part in language analysis process. 5. The criteria – lack of documents, lack of credible country of origin data from the person. 6. This one analysis took about 30 minutes. 7. - 8. Language analysis does not provide credible evidence of the person's origin and embassies do not issue travel documents based on the results. Language analysis is more likely to be accurate if the person's actual origin is guessed correctly. Language experts

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			<p>are not experts in many languages.</p> <p>9. This one analysis was done by phone as the expert was in Sweden. Estonia did not have an expert of the language the person was speaking.</p> <p>10. The expert did the interview. We do not know the questions.</p> <p>11. No information available</p> <p>12. The main difficulties are:</p> <ol style="list-style-type: none"> a. Lack of cooperation from the person in removal process. b. Guessing the real origin of the person as this is the main information needed for finding the language expert for this language. c. Finding the actual language expert. d. Financial means. e. Results are not credible as real evidence like identity documents.
	Finland	Yes	<p>The police, who are in charge of executing the removals, do not use language analysis in the removal process. Finland will however provide a more general response to some of the questions, especially regarding the asylum process where language analysis is used as a means to try to ascertain the identity of the applicant.</p> <p>1. When the Asylum unit considers that there is a need for language analysis in conjunction with an asylum application, it asks the police to conduct a language analysis by an external service provider</p> <p>2. The company that conducts the analysis uses a native speaker and a linguist to perform the analysis. In many cases, also the native speaker has taken some linguistic courses.</p> <p>3. The Asylum unit has used language analyses more frequently since 2009.</p> <p>5. A language analysis is conducted if the information given by the applicant regarding his/her country/region of origin is conflicting or insufficient, and there are doubts regarding the information.</p> <p>7. No applicant, in the cases processed by the Asylum unit, has as of yet used its own language analysis experts to contradict the results of a language analysis in the appeals process. The Asylum unit takes into consideration factors that are both for or against the country/region of origin stated by the applicant.</p> <p>11. In general, the person who is analysed is asked to freely describe his/her life in the country of origin. This type of free discussion usually brings out e.g. local vocabulary and dialects.</p> <p>12. The average price for a language analysis is approx. 400-450 euros.</p> <p>13. According to the police, the language does matter in the removal process. The embassies/representatives of some countries want to</p>

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			have a discussion with the person who faces removal in order to ascertain that the person is a citizen of their country before they will issue a travel document or a passport. The local knowledge of the person as well as the language/dialect used is under scrutiny in these discussions. A general remark made by the police considering the language analyses performed by an external contractor is that they are not found to be very useful, as the authorities of the country of origin in question want themselves to ascertain the origin of the person to be removed. This is understandable, as the language used by a person is not sufficient to confirm his/her nationality status.
	Hungary	Yes	In Hungary we do not use language analysis in our removal process.
	Italy	Yes	Italy has not implemented such a kind of structured language analysis system, aimed at the identification of undocumented foreigners to be repatriated.
	Latvia	Yes	<ol style="list-style-type: none"> 1) There are no experts in Latvia, who could carry out language analyses. In 2010 there were two cases when the State Border Guard used language analyses for asylum seekers conducted by the Swedish company. 2) - 3) The State Border Guard has started to use language analyses with the aim to identify the asylum seekers since 2010. 4) The State Border Guard has not used language analyses for identification of illegal immigrants. 5) The State Border Guard take a decision to use a language analysis in case if there is no any information about the asylum seeker which could help to identify the person and if an asylum seeker hide his/her identity. 6) The organizational process (submitting a request to the company conducting the language analysis and receiving an accept on it, as well as harmonization of the date of direct interview) takes approximately two weeks (it depends on language the individual speaks) then time to get analysis report takes about three weeks. 7) There is no any company or person, who makes a contra-assessment of the language analysis in Latvia. The State Border Guard used the Swedish company. 8) The only difficulty encountered for the language analysis we used is that it is possible to identify only a region from which an asylum seeker came from and it does not allow to narrow the place of origin, so it does not allow in proper manner identify the person. 9) The State Border Guard uses the native speakers as interpreters in case if there is no any independent interpreters in Latvia. As the recruitment criterions we use the money for the native speakers. 10) The State Border Guard used telephone interviews for language analysis with Swedish company. We did not send a tape of the interview to the language expert. The advantage of the telephone interview is that the interviewer knows the language and dialects of the region where the person came from, as well as has initial information on social, geographical, cultural peculiarities of the country. 11) As the State Border Guard does not carry out language analysis, we do not have a list with questions for each country. The State Border Guard when applying for the language analysis fills in the order form where indicates what would like to know about the person and his/her place of origin. 12) The company that makes a language analysis has a fee list. 13) The only difficulty encountered for the language analysis we used is that it is possible to identify only a region from which an asylum seeker came from and it does not allow to narrow the place of origin, so it does not allow in proper manner identify the

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			person.
	Lithuania	Yes	Lithuania does not use language analysis for the removal process.
	Slovak Republic	Yes	The Slovak Republic does not use the language analyses for identification of illegal immigrants within the identification procedure.
	Slovenia	Yes	<p>Language analysis as such has not been used in Slovenia for the identification of origin of illegal immigrants/international protection seekers. But there were quite a few cases when, during the reception of an application for international protection (taken on a written record) or during the personal interview, it has been established due to the difficulties in communication with the interpreter (native speaker of that particular language in the claimed country of origin - COI) that the applicant's COI is probably not the one which the applicant first claimed he came from. After the presentation of linguistic facts, the applicants admitted to the false presentation of COI and indicated their true COI.</p> <p>The majority of such cases related to Kosovo that they claimed to be their COI but it was later established that the applicants, with very basic knowledge of Albanian language, originated from the rural/remote parts of Albania.</p>
	Sweden	Yes	In Sweden we sometimes use language analysis for asylum seekers with unknown identities during the asylum process. Language analysis is not used in the removal process.
	United Kingdom	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further
	Norway	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further
